June 2006

Issue 4

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The Quill and Sword

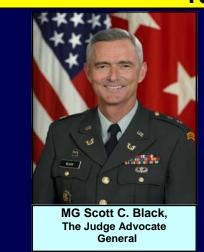
In May 1890, a sword and pen crossed, wreathed, and embroidered in silver was adopted for wear by officers of the Army Judge Advocate General's Department. In 1899, the color was changed to gold. The pen represents the recording of trial testimony; the sword symbolizes the military character of the Corps; the wreath is symbolic of honor. The enlisted branch of service insignia was authorized for wear on 4 August 1967. The Legal Administrator's branch insignia was changed from the Warrant Officer Corps insignia to the JAG Corps insignia on 9 July 2004.



THE QUILL AND SWORD

The Official Newsletter of the Army JAG Corps

TJAG FORUM



Wartime Changes

We are engaged in the "long war," and our Army must adapt to rapidly changing battlefield requirements. This wartime agility has historically been a key component of military victory. As many of you know, our Army is undergoing a dramatic and challenging wartime transformation to a modular Brigade-centric force.

Like the rest of the Army, the JAG Corps must remain flexible and adaptive throughout this war. We must make rapid changes when necessary to support our combat forces. One example of this flexibility is a recent change in the way that we will assign our Paralegal Sergeants Major.

We have 16 Sergeants Major (SGMs) in the JAG Corps, and they have traditionally been assigned only at Corps and higher headquarters. I have decided to move 10 SGMs down to our 10 active combat Divisions. SGM Glaze and I feel strongly that this is the best way to take care of our paralegals at the "tip of the spear." It moves our most experienced Paralegal Soldiers to Division SJA offices, where the largest concentration of paralegals are now assigned. Most importantly, these Sergeants Major will leverage their vast techni-

cal and tactical expertise to train the paralegals and officers who are the most likely to experience combat.

Once this change is implemented, SJA offices at Corps and Divisions will have SGMs (E-9s) as "Command Paralegal NCOs," and SJA offices at Theater Armies and Theater Sustainment Commands (TSCs) will have Master Sergeants (E-8s) as "Chief Paralegal NCOs." SGM Glaze will provide additional details, but I want everyone to understand the need for this significant change. We must continue to give our priority of effort to the Soldiers who are most likely to be in harm's way.

Our Newsletter

Thank you to all who have submitted information to The Quill and Sword, the official newsletter of our JAG Corps. This quarterly publication is designed as an informal way to keep each other up-to-date with what is going on around our Corps. I am confident that you will find several interesting topics on the pages of this Quill and Sword.

As I travel around the JAG Corps on Article 6 and other visits, I am impressed with your amazing accomplishments. I am pleased to see many of your stories in this newsletter, and I hope to see more in the future. I encourage all JAG Corps members to continue to submit items to the Quill & Sword. This is a great way to let the rest of the Corps know what you are doing.

Please keep up the great work, and enjoy this issue of The Quill and Sword.

SCOTT C. BLACK Major General, USA The Judge Advocate General

Attention Readers: If you have ideas or information of interest to the JAG Corps, please consider writing an article for *The Quill and Sword.* Submit your article to: ALCS-CD@hqda.army.mil.

From the Desk of the Chief Warrant Officer of the Corps

Combat Multipliers

I would like to take this opportunity to recognize our past, present, and future deployed warrant officers. These multi-disciplined warriors are true combat multipliers in the long war.

Since the beginning of GWOT, through OEF and OIF, we have witnessed the selfless service of Legal Administrators from AC, USAR, and ARNG, in combat zones-rotation after rotation. These enduring examples, from our most junior to senior Soldiers, including the valor of then-WO1 McIntosh, and the ultimate sacrifice by CW5 Swartworth, are the exceptional experiences that bond our generation.

The transformation of our Army continues at an accelerated pace. The way ahead reflects an ever-increasing focus on the combat divisions and modular brigades. Consis-

tent with the shift of E9 Command Paralegal NCOs to divisions, expect to see our more senior and versatile CW2s and CW3s with the divisions – including some who have already served in these units.

In an operational law environment or in garrison, I commend each of you for your leadership and technical skills in providing the necessary legal support to our judge advocates and paralegals. I challenge each of you to embrace our multi-disciplined doctrine as set forth in FM 27-100, and the Smartbook, DA PAM 611-21, paragraphs 8-48 and 8-68. Whether deployed or in garrison, Legal Administrators must be prepared to "do it all on the fly."

I encourage you to read the article on page 4 of this Quill and Sword. It is an unsolicited, inspirational account of two of our Legal Administrators who were true combat multipliers in OEF.



CW4 Carol Hauck Chief Warrant Officer of the JAG Corps

To access the Smartbook and download the duties of a Legal Administrator, please visit:

https://
perscomnd04.army.mil/

MOSMARTBK.nsf/

From the Desk of the Regimental Sergeant Major



SGM Michael W. Glaze Regimental Sergeant Major of the JAG Corps

"If I were the RSM for one day, what would be my final order... I'd have to say keep on keeping on. You are in the right direction." SGM(R) John Nicolai.

Commitment to Our Future

As announced by MG Black on the cover of this issue, the Army has approved our request to re-grade the 10 combat division CPNCOs from E8 to E9, effective 1 October 2007. This is a significant change. It has been carefully considered by the JAG Corps leadership, and it reflects an unyielding commitment to our paralegal Soldiers.

The sixteen Sergeants Major in the JAG Corps are the Army's most experienced paralegals. Our intent is to assign these key Paralegal NCOs in order to best support ongoing operations and the Global War on Terror (GWOT). I am convinced that we can best serve our Army and support our Soldiers by moving ten of our JAG Corps Sergeants Major to the active combat divisions.

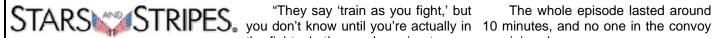
Moving these Sergeants Major to the ten combat divisions will capitalize on their outstanding training and leader-

ship. Combat division SJA offices, along with Corps SJA offices which will retain their paralegal Sergeants Major, have the highest concentration of paralegals in the modular force. More importantly, paralegals at these headquarters are those most likely to directly experience combat, and therefore stand to benefit the most from the experience of our Sergeants Major.

This change is consistent with the Army's transformation effort which, centers on Brigade Combat Teams (BCTs) and calls for a more decentralized delivery of legal services. I have complete confidence in our talented Master Sergeants, who will become the E-8 Chief Paralegal NCOs at the Theater Armies and Theater Sustainment Commands (TSCs).

I am confident that this update will best serve our Soldiers fighting the GWOT. This change is a commitment to our future, our Soldiers, and the JAG Corps. Thank you for your continued service and your undeniable dedication to our Army.

Fighting Paralegal Proves Her Mettle in Baghdad Battle



By Steve Mraz, Stars and Stripes Mideast edition, Monday, March 27, 2006 (Reprinted with permission from Stars and Stripes. ©2006 Stars and Stripes)

CAMP ARIFJAN, Kuwait — You wouldn't think this blond-haired, blue- had never even seen a .50-caliber eyed paralegal with a warm smile is a machine gun, much less fired one. In force to be reckoned with when she's fact, before Bullard joined the Army, behind a .50-caliber machine gun.

But you — and the fighters who BB gun. ambushed her convoy - would be wrong.

first class at the time, was the turret January convoy. gunner in a Humvee when the enemy unleashed fire on her convoy at night. mits, she was praying the whole time She returned fire with 61 rounds from for nothing to happen. her .50-caliber machine gun, causing position. It was her first convoy manning a .50-caliber machine gun.

want to be shot, but I wasn't going to to return fire. duck down and crawl in the vehicle. I job."

foot-10 woman received the friendly adrenaline rush in my life." nicknames "Combat Barbie" and the 37th Transportation Group out of Kaiserslautern, Germany. During this tion. deployment, the 37th Transportation Command is known as the 37th ding me," Bullard said. "So, I rolled Transportation Group.

Bullard also garnered praise from the 37th Transportation Group command sergeant major, who was riding in the Humvee with Bullard on the night of the attack.

"They say 'train as you fight,' but the fight whether you're going to execute as you're trained," said Comenough, she executed as she was trained and provided suppressive fire to allow that convoy to go through, continue the mission and get to our destination."

Prior to her deployment, Bullard the only weapon she had fired was a

While downrange, Bullard attended a pre-marksmanship instruc-Army Cpl. Krista Bullard proved tion class. Then, Bullard went to her combat mettle in late January a .50-caliber machine gun range and when her convoy from Camp Arifjan subsequently qualified on the came under attack close to Baghdad weapon. She volunteered to be a .50-International Airport. Bullard, a private caliber machine gunner for the late

While on the convoy, Bullard ad-

Around 8 p.m., Bullard heard secondary explosions at the enemy Baker, who was serving as truck commander in her Humvee, tell her that small-arms fire was coming from their "I can't say I wasn't scared, be- 9 o'clock position. Bullard cranked the cause I was really scared," said the turret toward the position, located the 20-year-old from Altamont, III. "I didn't enemy and told Baker she was going

"I started firing," she said. "That was the .50-cal gunner. That was my was definitely a nerve-wracking experience. As soon as they guit firing Not only did Bullard earn the on that side, I could hear myself Combat Action Badge for her reac- breathing in the intercom. It was just tions in the incident, but the nearly 5- crazy. I never had that high of an

She had time to take a breath "Jag-Bo" from her fellow soldiers in before Baker told her that enemy fire was coming from the 3 o'clock posi-

> "I'm like, 'Oh, you have to be kidaround to that side ... I remember seeing them fire and firing back. I don't know what I hit, but I fired. I hit a couple of things and they blew up, so it was kind of neat to see some secondary explosions."

The whole episode lasted around was injured.

Later that night, Bullard's body mand Sgt. Maj. Tony L. Baker. "Sure was tense, and she didn't sleep very well, she said.

> "All my nerves were just shot, basically," Bullard said. "Mentally, I think I was fine. I didn't shed any tears. There was really no point to. I could have cried, but what would have it helped me with? Nothing, I think I get excited every time I talk about it."



Steve Mraz / S&S

Army Cpl. Krista Bullard, a paralegal with the 37th Transportation Command out of Kaiserslautern, Germany, earned the Combat Action Badge in late January during an ambush outside of Baghdad.



Steve Mraz / S&S

Army Cpl. Krista Bullard displays one of the 61, .50-caliber machine gun shells from a late January incident when her convoy came under attack.

Legal Administrators in Combat

Combat multipliers come in many forms. When we finally catalogue the heroes in the War on Terror, our JAGC Legal Administrators will be among them. These quiet professionals make critical and lasting contributions to the success of legal services in support of the Global War on Terror. The experiences of the 10th Mountain Division and Combined Joint Task Force-76 (Afghanistan) offer excellent lessons for what these dedicated legal professionals are accomplishing in the operational environment.

FM 27-100, Legal Support to Opera-Legal Administrators during operations. But the experience of the 10th Mountain Division, and others, reveals the Field and should be recognized accordingly. Manual fails to adequately capture the true scope of the crucial role played by Warrant Officers - something routinely mirrored in their absence from key manpower authorization documents.

In the case of 10th Mountain Division and CJTF-76, the dedicated contributions of CW2 Alexander Walden (part of SETAF's OEF VI rotation) and CW2 Stephen Mislan have had profound operational benefits, and demonstrate how a Legal Administrator can be a combat multiplier for the SJA. Mr. Walden was instrumental in significant office initiatives, including the movement of TDS to an enhanced, independent facility on Bagram, securing an additional vehicle



pated in a key "warfighter" exercise, and was certified as a Foreign Claims Commission. He has actively used these skills since arriving in theater. Mr. Mislan successfully defended against a proposed 50% reduction in SJA NIPR lines. assisted with claims investigations, and participated in post-trial processing. He is currently working with the Chief of Justice, CPT Grady Leupold, to design, plan, fund, and build a new Bagram "judicial center" for future courts-martial, administrative boards, and hearings. Mr. Mislan has also conducted SJA office staff visits and surveys for automation

tions, references generally the role of Legal Administrators continually prove their intrinsic value to legal operations in the austere and challenging deployed environments;

> for shared use by claims officials and TDS, and reconfiguration of the SJA JOC workspace, including the construction of shelving and related infrastructure. Notably, Mr. Walden secured a dedicated Afghan interpreter for the SJA offices and for use by the claims office and others. This significantly enhanced the ability to conduct effective investigations and fair settlements for foreign claims and Solatia.

> CW2 Mislan's contributions have been no less notable. Prior to the deployment, Mr. Mislan attended the Fiscal Law Course, completed over 30 hours of officer professional development, partici-



CW2 Walden and COL McKitrick pose for a photo while deployed in Afghanistan.

integration, eJustice access, and related matters.

Legal Administrators continually prove their intrinsic value to legal operations in the austere and challenging deployed environments; they should be recognized accordingly. More than automation and budget specialists, they are true legal professionals with the talent and energy to enhance the efficiency and effectiveness of judge advocates and paralegals. We cannot imagine deploying without them.

By LTC George R. Smawley, DSJA Combined Joint Task Force - 76, Bagram, Afghanistan

Left: CW2 Mislan, Legal Administrator, poses with a civilian interpretor (left) and two Afghan National Policeman (right).



\$10,000 "Signing Bonus" for Reserve JAs!

New U.S. Army Reserve (USAR) Judge Advocates their service by transitioning to the USAR. This affiliaand Legal Administrators may be eligible for a tion bonus is \$10,000 for a 3-year commitment to a \$10,000 accession bonus. Candidates must apply to TPU. The United States Army Reserve Command the USAR before 30 September 2006 and agree to point of contact for this bonus is MAJ Jacqueline remain in a Troop Program Unit (TPU) for six years. Ezell, at (404) 464-The bonus will be paid after successful completion of 9448. the Judge Advocate Officer Basic Course or Warrant rently no bonus of-Officer Basic Course. MAJ John Swanberg or MAJ James Guelcher at the Judge Advocate Recruiting Office can answer additional questions about this program for officers at (703) 696-1503. Local recruiters can provide information about bonuses available for enlisted paralegals.

For Judge Advocates and Legal Administrators leaving active duty, there is an incentive to continue

There is curfered by the Army National Guard (ARNG).

By MAJ Ken Ford, Combat Developments Directorate. **TJAGLCS**



Initial Entry Training for Reserve & National Guard JAs

are taking place in the training of our Direct Commissioned Officer (BOLCreserve component Judge Advocates. In the past, active component JAs have attended a 4-week inprocessing phase at Fort Lee, VA, and a 10-1/2 week resident Judge Advocate Officer Basic Course (JAOBC) at The Judge Advocate General's Legal Center and School (TJAGLCS) in Charlottesville, Most reserve component JAs have attended only the 4-week inprocessing phase in residence, and have then completed JAOBC via distance learning.



BOLC Students executing a field mission.

Starting with the 171st JAOBC in October 2006, all new JAs in the US Army Reserve (USAR) and the Army National Guard (ARNG) will join their active component counterparts in attending a 2-week inprocessing phase at Fort Lee, VA, and the 10-1/2 week resident JAOBC (also known as "BOLC-III") at TJAGLCS. The reserve component JAs will then continue training alongside their active counterparts during 4 weeks of warrior training at either Fort Sill or Fort Benning

DCO).

travel to either Fort Sill or Fort Benning for an additional 7 weeks of common officer training at the Basic Officer Leader Course-II (BOLC-II). This new model will give our reserve component officers over 16 weeks of resident training and our active component Judge Advocates over 22 weeks. Starting in October 2008, plans call for reserve component JAs to attend BOLC-II with their active component counterparts. At this point, initial entry training for active and reserve component JAs will be identical. The increase in training time will ensure that our new officers develop the leadership attributes and warrior skills necessary for success in today's dynamic and complex operational environment.

These changes stem from the Army's implementation of BOLC and the transformation of the Officer Educational System. BOLC-II provides hands-on training in a tactical environment. It is designed to develop technically competent, confident and adaptable young officers who possess the warrior skills to solve tactical dilemmas, make rapid decisions, and lead Soldiers in combat. Accordingly, the BOLC-II curriculum includes physical fitness; foot marches; close quarters combat; land navigation; weapons and marksmanship; practical exercises in leadership, use of night-

Significant and exciting innovations in the Basic Officer Leader Course - vision equipment; and several confidence building courses. You can read more about BOLC-II at the Fort Ben-Active component JAs will then ning website: https://www.infantry. army.mil/bolc/ and at the Fort Sill site: http://sill-www.army.mil/bolc2/ main.htm.

> The JAG Corps training model differs slightly from the Army model. The Army has recognized that most JAs are direct commissioned officers with little or no military experience. Most JAs do not participate in the precommissioning BOLC-I, which includes the U.S. Military Academy (USMA), Reserve Officer Candidate Training Corps (ROTC), and Officer Candidate School (OCS). Therefore, the Army has established BOLC-DCO to prepare Judge Advocates for success at BOLC-II. Also, unlike other branches, JAs will attend their branchspecific training (BOLC-III) before attending the branch-immaterial BOLC-Il course.

> TJAG recently issued a BOLC waiver policy addressing reserve component attendance at BOLC-DCO and BOLC-II (See TJAG Policy 06-8 on the JAGCNet homepage). The JAG Corps also plans to issue a policy addressing the completion of JAOBC via distance learning, in lieu of the resident course at TJAGLCS.

By LTC Nancy Waldron, Combat Developments Directorate, The Judge Advocate General's Legal Center and School (TJAGLCS)

The 54th Judge Advocate Graduate Course



Students from The 54th Graduate Course pose for a photo on the steps of the Supreme Court following their swearing in. Photo taken by Steve Petteway, Collection of the Supreme Court of the United States.

Major General Scott C. Black, The Judge Advo- the Major General Lawrence H. Williams Award for Officer Graduate Course during their commence- complishment for Best Thesis. ment exercise on 25 May 2006. Major General Black recognized the graduates and their families for their academic and military achievements and thanked them for their commitment and sacrifices in support of their nations. Major General Black noted the unique challenges and opportunities that await the new graduates, especially those who will serve as Brigade Judge Advocates in Brigade Combat Teams (BCTs).

Major John C. Johnson, U.S. Air Force, received the American Bar Association's Award for Professional Merit for attaining the highest overall class Major Johnson also received the Major standing. Paul P. Dommer Award for attaining the highest standing in International and Operational Law, as well as the Major General George S. Prugh Award for Writing Excellence in International and Operational Law. Major William J. Dobosh, Jr., U.S. Army, received The Judge Advocate General's School Award for Professional Merit for attaining the second highest overall class standing. Major Dobosh also received

cate General of the Army, addressed the seventy- attaining the highest standing in Administrative and nine graduating officers of the 54th Judge Advocate Civil Law, as well as the Award for Distinguished Ac-

By MAJ John P. Jurden, Assistant Dean, **TJAGLCS**



General Tate bids farewell to CPT Oksan Cidem (Turkey), COL Ernest Koffi Danso, Ghana, CPT Osnat Davidson (Israel), and 1LT Anis Mecherqui (Tunisia).



The 94th Regional Readiness Command

94th Regional Readiness Command JAG Corps On-Site Focuses On Operational Law Issues



On 22 and 23 April 2006, the Office of the Staff Judge Advocate, 94th Regional Readiness Command. hosted its annual JAG Corps On-Site Training at the historic Charlestown Navy Yard (home of the U.S.S. Constitution) in Boston, Massachusetts. The On-Site was attended by approximately 100 officers and enlisted soldiers who were mostly members of the Judge Advocate General's Corps in Army Reserve and Army National Guard units in the New England area. Among the senior officers that attended the On-Site were the Assistant Judge Advocate General for Military Law and Operations (IMA), Brigadier General Scott Castle, the Staff Judge Advocate for U.S. Army Forces Command, Colonel (COL) Karl M. Goetzke, the Staff Judge Advocate of First U.S. Army, COL Leroy C. Bryant, Staff Judge Advocate of 94th Regional Readiness Command, COL Thomas A. Goonan, and the Commander of the 154th Legal Support Organization, COL John V. Imhof.

While the On-Site agenda addressed a variety of legal topics, issues and current developments, special emphasis was placed on Operational Law matters. Major John Rawcliffe, a Professor at The Judge Advocate General's Legal Center and School, provided a block of instruction on International and Operational Law, with a particular focus on prisoner of war and detainee issues. Lieutenant Commander (LCDR) Sandra Hodgkinson, a member of the Civil Law Support Activity 104 (the Navy Reserve

tional and Operational Law Unit) provided instruction on the subject of war crimes, the prosecution of war criminals, and the status of various international tribunals prosecuting war criminals. COL Wendy Kelly, the Executive Officer to the Appointing Authority for the Office of Military Commissions, provided a block of instruction on the status, procedures and Judge Advocates' role in the Military Commissions process at Guantanamo Bay. Additionally, COL Henry J. Hogan, III, the Chief Military Judge (IMA), U.S. Army Legal Services Agency, instructed On-Site attendees on conducting high-profile Article 32 Investigations.



BG Castle recognizes CPT Susan Lynch and SSG Tammy Shiffer with TJAG coins.

During the On-Site, COL Kelly, COL Hogan, LCDR Hodgkinson and MAJ Rawcliffe participated in a Roundtable Panel Discussion and responded to questions posed by On-Site attendees. Among the subjects discussed were the legal justifications and precedent for Operation Iraqi Freedom and Operation Enduring Freedom, and the legal justifications and precedent for Military Commissions and the detention of suspected terrorists during the Global War on Also discussed during the Terror. Roundtable Panel Discussion were common misconceptions held by non-Americans about the legal justifications for ongoing United States military operations that Judge Advocates

unit supporting the Navy's Interna- might encounter if they find themtional and Operational Law Unit) pro- selves serving in a multination setting vided instruction on the subject of war or deployed outside of the Continental crimes, the prosecution of war crimi- United States.

> In addition to Operational Law subjects, On-Site attendees were provided with instruction and information on a number of other topics. BG Castle discussed the state of the Corps. Representatives of PP&TO provided attendees with an update on personnel issues, including the new, separate Judge Advocate promotion boards. Finally, attendees were provided with blocks of instruction on furnishing legal assistance to deployed service members and their dependents, and on assisting soldiers in navigating their way through the Army Physical Disability Process.

> The 94th Regional Readiness Command On-Site was conducted in the shadow of the U.S.S. Constitution and the monument for the Battle of Bunker Hill. In addition to having the opportunity to tour these historic sites, attendees also had the opportunity to eat at the myriad outstanding restaurants in downtown Boston. The 94th Regional Readiness Command has previously held On-Sites at the Newport Navy Base, Hanscom Air Force Base, and the Devens Reserve Forces Training Area.

By MAJ John P. Coakley, 94th Regional Readiness Command



LTC Cummings presents a flag flown on USS Constitution to LCDR Hodgkinson, the onsite guest speaker.

Captain Bayless Receives Team C4ISR Award

Where do members of Team C4ISR turn if they have a question about a conflict of interest or a compromising ethical issue? An Ethics Counselor can help answer such complicated questions. Captain Michele Bayless is the Chief of the Administrative Law Division and a trained Ethics Counselor for the Communications-Electronics Life Cycle Management Command (C-E LCMC) at Fort Monmouth, NJ. It is her job to know exactly what crosses the ethical line. Captain Bayless was recognized for her superior performance and is one of the recipients of the Team C4ISR Ten Outstanding Personnel of the Year for 2005. The award was presented by MG Michael Mazzucchi at the combined Team C4ISR and Fort Monmouth Retirement and Awards Ceremony in March 2006.

Captain Bayless was instrumental in helping C-E LCMC to accomplish an



important mission requirement of 100 percent attendance at face-to-face annual Ethics and Acquisition Ethics Training, as well as 100 percent filings of OGE 450s for those who meet the critieria.

She stated that her greatest challenge in accomplishing this feat was simply reaching people. Captain Bayless said that Team C4ISR is scattered throughout the globe and performs important missions in support of warfighters. As a result, many people were difficult to reach and extremely busy. Ensuring that over 10,000 were trained was difficult, but the result was a workforce that is aware of the ethics

rules and fully engaged with the Legal Office.

When asked about her success, Captain Bayless said that the most important aspect is perseverance. She stated, "I like to think that you can accomplish anything if you set your mind to it and focus."



Captain Michele Bayless with her husband and three children.

Captain Bayless credits the teamwork of those involved with being a big part of accomplishing her mission. She said, "I did not do this alone. My team — the entire Legal Office — is highly skilled and responsive to the needs of Team C4ISR. I knew if there was a project or a question that I could not get to or a training session that I could not teach, there was always someone willing to help out. Accordingly, the Chief Counsel's Office has been quite a life-line. The entire office is filled with highly qualified and intelligent attorneys and support personnel. And my Staff Judge Advocate Division is dedicated to supporting the entire Fort Monmouth community; they are true professionals, soldiers, and legal personnel. Working with them has been both personally and professionally rewarding."

Besides being Chief of the Administrative Law Division, Captain Bayless also has three small children and is married to Matt Bayless, a Company Commander in the New York National Guard. Captain Bayless grew up in Burlington County, New Jersey, and she recently moved back there when she transferred to Fort Monmouth. She attended Dickinson College in

Pennsylvania for her Bachelors of Arts in Political Science where, she entered into the Army ROTC program. Captain Bayless was commissioned through the ROTC program into Military Intelligence and then attended the University of Kansas School of Law, where she obtained her J.D. After finishing the Judge Advocate Officer Basic Course (JAOBC), Captain Bayless had her first active duty assignment at West Point, NY before coming to Fort Monmouth in April 2005.

According to Captain Bayless, members of Team C4ISR should always remember the Legal Office's Ethics Counselor resources. Very few questions posed are novel or have never been encountered by another individual in the Army. You have to know where to turn when the answer is beyond your immediate grasp, because your colleague probably tackled the same question last week.

By Stephanie Ullman, C-E LCMC DCSOPS, Fort Monmouth, NJ

<u>Deploying JAGs Take Note! -- Army</u> Fiscal Law Website Opens.

The Army Fiscal Law website is now available on JAGCNET in the bottom right corner under the Public Core Functional Areas ('Databases') heading. It can also be accessed at HYPERLINK "http://www.jagenet.army.mil/fiscallaw and from HYPERLINK "http://www.jagcnet.army.mil/ clamo"CLAMO. The website is designed to aid deployed JAs in advising their commanders on the many fiscal law issues encountered in a contingency environment. In fact, the website was developed by deployed JAs for deployed JAs. In addition to providing a valuable resource for all JAs, a key goal of the Army Fiscal Law Website is to capture fiscal law "lessons learned" and make them available for all JAs supporting the GWOT and contingency operations. We are actively seeking ways to improve this valuable resource. Please provide us your input on how to build upon this first-of-a-kind fiscal law web page. Any "real-world" legal memoranda or operational policies are more than welcome. Please provide your input using the contact info on the website, or directly, to LTC Brian Godard (Brian.Godard@us.army.mil).

U.S. Army Sergeants Major Academy Graduates

The United States Army Sergeants Major Academy (USASMA) is a ninemonth course and is the final training step in the Noncommissioned Officer Education System (NCOES). located at Biggs Army Airfield, Fort Bliss, Texas, and is the premier military NCO training institution in the world.

Class 56 had five 27Ds representing the JAG Corps. The "Ultima" Legal Team consisted of MSG Louis DiNatale, MSG Rodney Gilchrist, MSG Michael Maestas, MSG Cyrus Netter, and MSG Troy Tyler.

Senior NCOs are trained on the Army's tactical, operational, and strategic mission and vision. Soldiers receive multiple briefings and have to demonstrate proficiency in writing various research papers and presenting oral briefings. Customs and courtesies are reinforced through daily interaction and social events.

Class 56 had the opportunity to conduct several staff studies on current and significant issues that arose during the Proponent Sergeant's Major Conference, hosted by Sergeant Major of the Army Kenneth O. Prepiece of our Army.

The first issue was to determine what the appropriate force composition should be for the Active Army, Army Reserve (USAR), and Army National Guard (ARNG), based upon our current personnel strengths, recruiting and retention, existing operations, modularity, and future opera-

The second staff study was conducted on the Command Sergeant Major Program (CSMP). The senior leadership asked students to analyze and recommend the best course of

action for ensuring that the Army retains qualified CSMs, fills lifecycle units, and considers progressive assignments. Both of these studies had to ensure that they kept the global war on terrorism and transformation as top priorities. This is only a small snapshot of the issues, as there were forty-one groups working on at least one additional topic.

SMA Preston and the sen-Two of the issues worked on ior enlisted leadership have graduates of the Class 56.

involved the Soldier as the center- provided students an opportunity to gain valuable insight into these areas of concern, and provide accurate and beneficial information for them to use in their decision-making.

> The "Ultima" Legal Team is honored and proud to have the opportunity to be selected to attend the USASMA. All five paralegal NCOs graduated on 19 May 2006, and eagerly look forward to continued service in the U.S. Army and JAG Corps.

By MSG Michael Maestas, USASMA



Above from left to right: MSG Gilchrist, MSG DiNatale, MSG Maestas, MSG Netter, and MSG Tyler,

27D Advanced Individual Training (AIT)



The latest additions to the JAG Corps team graduated from Advanced Individual Training at Fort Jackson, SC, on 22 June 2006. Class 011-06 survived eight weeks of detail-oriented MOS training and two weeks of field training. SGT Morse served as the primary instructor and led these Soldiers through the difficult and challenging course. Army Pride!

Top row, left to right: PFC Brett Butler, SPC Elizabeth Apton (Distinguished Honor Grad), PFC Jason Nelms, PFC Justin Kubat (Honor Graduate), SPC Lance Schillinger, PFC Adam Cranford, PFC Daniel Walter (Honor Graduate), PFC Alan Foster, PFC Kevin Wallace, SPC Quincy Duplessis. Middle row, left to right: SPC Marvis Rolle, PVT Nicholas Williams, PVT Jaclyn Biespiel, PFC Atasha McKinzie, PFC Kristy Yamada, SPC Ebony Williams, SGT Crystal Morse, Instructor. Kneeling: PFC Maria Felix.

As a Noncommissioned Officer, I realize that I am a member of a time honored corps, which is known as "The Backbone of the Army." From the Creed of the Noncommissioned Officer.

3rd Army Paralegal Soldiers—Leading the Way!





Above: SGM Quarm & SGT White pose with Correspondent Oliver North. Below: SGT Chapman & SPC Swink pose with Tom Izzo, head coach of Michigan State basketball team.



Below: SPC Rachel DeBoer reenlisting for another tour of duty as a paralegal specialist, MOS 27D!



Welcome from one of the most challenging paralegal missions in the US Army – the Third US Army/ARCENT/CFLCC Office of the Staff Judge Advocate. The paralegals of the OSJA face the unique prospect of providing legal support, forward-deployed, to over 28 different countries in the Third Army area of responsibility, primarily in the Middle East.

The Third US Army/ARCENT/CFLCC is under the Command Team of LTG R. Steven Whitcomb and CSM Franklin G. Ashe. The OSJA leadership team is COL Kevin Luster (COL Katherine Spaulding-Perkuchin will assume SJA duties this summer) and SGM Brian Quarm.

The paralegals of Third Army provide legal support primarily in two separate offices, one in Fort McPherson, Georgia, and one forward-deployed in Camp Arifjan, Kuwait. Paralegal support in Third Army Headquarters, Fort McPherson, revolves around all facets of military justice, a fair amount of premobilization legal assistance, administrative and civil law action tracking, and maintaining the ARCENT/ CENTCOM Detainee Abuse Database. For the most part, the legal mission in Camp Arifjan mirrors the legal mission in Fort McPherson, with one major difference - the environment.

Paralegals assigned to Third US Army/ARCENT/CFLCC can expect a three-to four-month rotation schedule between the two offices. In addition, over the past year, Third Army paralegals and court-reporters have traveled to Afghanistan, Iraq, Qatar, and Egypt to augment legal support. SSG Jeremy Gelfand recently returned after spending a year supporting the Multi-National Force-Iraq (MNF-I) legal mission. Whether working in Atlanta or Kuwait, the paralegals of Third Army always have their bags packed.

Because of the requirement to conduct split-based operations, the

key to the paralegal mission is our ability to mobilize USAR paralegals. Currently, our office gainfully employs ten mobilized USAR paralegals. The requirement to supplement the OSJA mission will continue for the foreseeable future.

What makes the Third US Army/ ARCENT/CFLCC paralegal mission so rewarding is our daily interaction with the other deployed paralegals. There are approximately 52 Active, USAR and ARNG paralegals currently deployed to Kuwait. Randall Woods leads the contingent from CFLCC. MSG Andrew Phelps is in charge of the 377th TSC. SGT Marley Ganthier, a CFLCC NCO, is currently leading the Area Support Group-Kuwait CJA Office. SSG Philip Neal and SGT Gladys Crum lead their respective legal teams at brigades. One of SGT Crum's soldiers, CPL Krista Bullard, recently earned the CAB as a .50 Cal gunner after successfully defending her convoy in Iraq when engaged by insurgents.

While the workload is tremendous, the deployment to Kuwait, specifically Camp Arifjan, has become much more tolerable over the last three years. Paralegals can take MWR trips to downtown Kuwait, can meet VIPs like Bo Jackson or Senator Barack Obama, can swim at the Camp Arifjan Pool, or participate in many different sporting leagues. One CFLCC paralegal NCO, SGT White, was recently a member of the Camp Arifjan Championship Flag Football Team. The living quarters are improving and the food — well, what can you really say about mess hall food.

At the end of the day, the paralegals of the Third US Army/ARCENT/CFLCC OSJA have met the challenge and continue to define what the TJAG recently called "pentathletes".

By SGM Brian Quarm, Third US Army/ARCENT/CFLCC Command Paralegal NCO

Legal Center and School Synergy



Synergy is commonly defined as a cooperative action or force. In the past few months, the Legal Center and School has truly lived up to that definition and serve as an example of what synergy can accomplish. The Legal Center and School continues to combine the efforts and resources of the respective LCS components to do great things for our Corps. The Legal Center and School synergy has resulted in innovative and creative approaches to issues and challenges faced by our Corps. Many of the projects highlighted in this issue of The Quill and Sword are a result of the collective efforts of all elements of the Legal Center and School. The following are some of the other ongoing "Skunkworks" LCS projects:

- Stability Operations Working Group: LCS personnel will work collectively on producing a comprehensive assessment of legal support to stability operations.
- Brigade Combat Team (BCT) JA Brownbag Training Sessions: The 17 students from the 54th Graduate Course selected for assignments at BCTs attended 12 weekly brownbag sessions to better prepare them for their upcoming assignments. Legal Center personnel developed the

Skunkworks: A skunkworks is a group of people who, in order to achieve unusual results, work on a project in a way that is outside the



usual rules. A skunkworks is often a small team that assumes or is given responsibility for developing something in a short time, with minimal management constraints. Typically, a skunkworks has a small number of members in order to reduce communications overhead. A skunkworks is sometimes used to spearhead a product design that, thereafter, will be developed according to the usual process. A skunkworks project may be secret.

program and managed the ses- • Doctrine Position Papers: sions while the School faculty provided subject matter experts (SMEs). The success of these sessions led to the development of a BCT graduate course elective by the School.

- Counterinsurgency Field Manual (FM): A new counterinsurgency FM is currently being developed by • the Combined Arms Doctrine Directorate (CADD). Legal Center personnel represented the JAGC at the drafting conference in Fort Leavenworth last month and also coordinated the review of the FM by School, Legal Center, and OT-JAG SMEs.
- BOLC/Academic Calendar: Legal Center and School personnel have worked closely to develop the JAG Corps' plan for the Basic Officer Leader Course (BOLC). In October 2006, Judge Advocates will begin attending BOLC. The entry dates for BOLC have resulted in a shift in the dates for the Basic Courses in Charlottesville. As a result, the dates for some CLE Courses have changed. While the changes are not as extensive as first feared, some significant course dates have Information the changes shifted. and an updated course listing is available in the June 2006 issue of The Army Lawyer. Additionally, a new course calendar, in a more visual format, is available for FY07 on JAGCNET by clicking on the TJAGLCS link (in the left hand column), and then clicking on "TJAGLCS Publications." This new format displays the entire fiscal year's offerings on two pages, and the courses are color coded by topic.

- Legal Center personnel are drafting a series of doctrine position papers that will form the basis for the new FM 1-04, Legal Support to Operations (FM 27-100). This project received significant input from School faculty members in each of the School's academic departments.
- Training Support Packages (TSPs): Legal Center personnel have coordinated the development of a TSP for the Law of War, and a TSP on the Rules of Engagement (ROE) is currently being developed. This effort has also received significant input and review from the School and OTJAG SMEs.

By MAJ Carlos O. Santiago, Future Concepts Directorate, and MAJ John P. Jurden, Assistant Dean, **TJAGLCS**

Captain Dunmire is a JA deployed in support of operations in Iraq.



170th Officer Basic Course

On 28 May, 97 students reported to Fort Lee, Virginia faculty. During their familiarization visit, the students reto begin Phase I of the 170th Officer Basic Course. Phase I, a four-week program focusing on basic soldier skills and the Warrior Ethos for newly-commissioned Judge Advocates, challenged the students and helped them form a cohesive class. While attending the Fort Lee phase, students conducted rigorous training on such tasks as weapons qualification, map reading and land navigation, and first aid. The training culminated with a three-day Situational Training Exercise from 16 to 18 June at Fort Lee.

On 14 June, 49 Reserve Component students visited The Judge Advocate General's Legal Center and School (TJAGLCS), where they were introduced to the staff and

ceived information regarding the Basic Course's academic curriculum and Distance Learning, the Legal Center, the Center for Law and Military Operations (CLAMO), and the history of the Judge Advocate General's Corps.

On 23 June, 50 members of the 170th OBC moved to TJAGLCS for the ten-week Phase II of the course. The students were joined at TJAGLCS by six international students from Iraq, Afghanistan, Bulgaria, Moldova, Egypt, and Thailand.

On 31 August, members of the class attending Phase Il will graduate and move on to their first assignments.

By MAJ John P. Jurden, Assistant Dean, TJAGLCS



Full BAH for the Reserve Components!

Good news for members of the Reserve Components – you are now eligible for full Basic Allowance for Housing (BAH) when on active duty for 31 days or more. Public • Law 109-163, dated 6 January 2006, authorized the payment of full BAH to Reserve Component members who serve on active duty for 31 days or more, including active duty for training (ADT), annual training (AT), active duty for special work (ADSW), etc.

Under the previous law, Reserve Component members with dependents, who served on active duty for 139 days or less received only BAH-II, a flat rate that does not take into consideration local housing costs. Under the new law, however, active duty service of 31 days or more enables most members to receive full BAH. Married members and single members, with dependents, will receive full BAH without regard for housing costs. Single members, without dependents, need only show proof of their continuing housing expense. Also, for active service of 30 days or less, members now receive BAH-II, and substantiation of housing costs is not required.

Example 1: A married sergeant from Atlanta on ADT to attend the nine-week Court Reporter Course would have received only \$661/month (BAH-II). That same

- member will now receive \$1,229/month (BAH rate for Atlanta).
- Example 2: A single first lieutenant, with dependents, from Kansas City on ADT for the fourteen-week Judge Advocate Officer Basic Course would have received only \$772/month (BAH-II). That same member will now receive \$1,019/month (BAH rate for Kansas City).

The new law treats married members, single members with dependents, and single members who can substantiate their housing costs, equally. Single members, without dependents, who cannot establish housing costs are ineligible for full BAH (the member would receive partial BAH if residing in government quarters, or BAH-II if quarters are unavailable).

Other specific rules apply to extensions of active duty and permanent changes of station. If you have any questions, check with your finance office and be prepared to show marital status, dependency, and housing costs.

By MAJ Patrick Barnett, Combat Developments Directorate, TJAGLCS

JAG Corps Transformation Update

Our Army is undergoing a major transformation centered on the Brigade Combat Team (BCT). The Army has shifted its focus from large Divisions (with approximately 16,000 Soldiers) to smaller, self-sufficient BCTs (with approximately 4,000 Soldiers). These readily-deployable BCTs have a modular "plug-and-play" capability.

This transformation to a "BCT-centric" Army has significant implications for the JAG Corps. The Corps has shifted legal assets from Division SJA Offices to BCT Legal Offices, which decentralizes the delivery of legal services in combat units.

The TJAGLCS Combat Developments Directorate actively participates in the Army's Modular Force transformation. Our force structure is under constant revision, based on lessons from Iraq and Afghanistan, doctrine changes, and resourcing decisions. The following are the legal assets that we expect for the most common Modular units:



Combat Units

<u>Theater Army</u>. Each headquarters has a 3- or 4-Star Commander, and a 29-person SJA Office with:

- •19 Judge Advocates (led by a Colonel SJA)
- •1 Legal Administrator
- •9 Paralegals (led by a Master Sergeant)

<u>Corps.</u> Each headquarters has a 3-Star Commander, and a 25-person SJA Office with:

- •13 Judge Advocates (led by a Colonel SJA)
- •1 Legal Administrator
- •11 Paralegals (led by a Sergeant Major)

<u>Division</u>. Each headquarters has a 2-Star Commander, and a 25-person SJA Office with:

- •13 Judge Advocates (led by a Lieutenant Colonel SJA*)
- •1 Legal Administrator
- •11 Paralegals (led by a Sergeant Major)

*NOTE: Some Divisions with installation legal responsibilities have a Colonel SJA

<u>Brigade Combat Team (BCT)</u>. Each headquarters has a Colonel Commander, and a 3-person Legal Office with:

- •1 Brigade JA (Major)
- •1 Oplaw JA/Trial Counsel (Captain)
- •1 Senior Paralegal (Sergeant First Class)

Volume 187, Military Law Review has been posted to the TJAGLCS Homepage.

www.jagcnet.army.mil/MLR

<u>Combat Support Brigade</u> (Combat Aviation, Fires, Battle-field Surveillance, and Maneuver Enhancement). Each headquarters has a Colonel Commander, and a 3-person Legal Office with:

- •1 Brigade JA (Major)
- •1 Oplaw JA/Trial Counsel (Captain)
- •1 Paralegal (Staff Sergeant)

Sustainment Units

<u>Theater Sustainment Command</u> (TSC). Each headquarters has a 2-Star Commander, and a 23-person SJA Office with:

- •14 Judge Advocates (led by a Colonel SJA)
- •1 Legal Administrator
- •8 Paralegals (led by a Master Sergeant)

There is also a separate 4-person TDS Cell with:

- •2 Judge Advocates (led by a Lieutenant Colonel RDC)
- •2 Paralegals (led by a Sergeant First Class)

<u>Expeditionary Sustainment Command</u> (ESC). Each headquarters has a 1-Star Commander, and a 7-person SJA Office with:

- •3 Judge Advocates (led by a Lieutenant Colonel SJA)
- •4 Paralegals (led by a Sergeant First Class)

<u>Sustainment Brigade</u>: Each headquarters has a Colonel Commander, and a 3-person Legal Office with:

- •1 Brigade JA (Major)
- •1 Oplaw JA/Trial Counsel (Captain)
- •1 Paralegal (Staff Sergeant)

There is also a separate 6-person TDS Cell with:

- •4 Judge Advocates (led by a Major SDC)
- •2 Paralegals (led by a Staff Sergeant)

By MAJ Patrick Huston, Deputy Director, Combat Developments Directorate, TJAGLCS

Right:
COL William J.
Glasser
poses with
Iraqi military police
at a security checkpoint in
Taji, Iraq.



Our JAG Corps Regimental History



Left: COL Howard Levie (center) investigates alleged North Korean truce violations, circa. 1953.

Right: Court Reporter training at Fort Benjamin Harrison, Ind., circa 1970.



From the Regimental Historian & Archivist

Dear fellow members of the JAG Corps:

Your Regimental History program is up and running at the Legal Center and School in Charlottesville. Over the next few years, we hope to accomplish some of the following:

Annual Lecture in Military Legal History. Maj. Gen. George S. Prugh has graciously agreed to provide us the financial support for an annual lecture in military legal history. The intent is to have a lecture given by a prominent lawyer, scholar, or other expert on some aspect of military legal history. The date for the first annual lecture is scheduled for Wednesday, 18 April 2007.

Archives (documents & photographs). We have a sizable amount of documents and photographs here at the LCS. They



First Airborne qualified JA was LTC Nicolas E. Allen, SJA, 82nd ABN DIV. MG James Gavin, Division Cdr, pins on Allen's wings. 1945.

need to be organized, catalogued and preserved in an archival-safe area. Doing all of this is one of our priorities for the next 12 months.

Oral history. The existing program has been transferred to your Regimental Historian, and our intent is to develop a strategic plan for conducting oral histories over the next five (5) years. That will include identifying candidates and developing a standard format for interviews.

Research and writing. The plan is to write two monographs (75 - 100 pages) and a book (200-250 pages) over the next five (5) years. We would also like to produce a monograph on the history of our enlisted Soldiers and noncommissioned officers and another on the history of our warrant officers. We are also considering updating our 1975 book (The Army Lawyer, which some of you may have in your libraries), but we will adopt more of a "coffee table book" format.

Historical collection. The LCS will not have a museum in the future, but we will have a historical collection. This will include JAGC uniforms, decorations and medals, and other historical items of interest.

We need all of you in the Regiment---judge advocates, legal administrators, paralegal specialists, and civilians---to help capture the history of our JAG Corps.

With that in mind, please send us any historical items (photographs, documents, uniforms, decorations, medals, war trophies, etc.) that you think might be important for us to have. Check your closets and storage areas in your offices, as well as your attic and garage at home! Please also recommend any suitable candidates for oral history interviews.

Please contact me at: Fred.Borch@hqda.army.mil or 434.971.3249 (direct line); TJAGLCS Historian, 600 Massie Road, Charlottesville, VA 22903-1781.

By Mr. Fred Borch, JAGC Historian, TJAGLCS



Major General Crowder, TJAG, and other judge advocates during World War I.

Paralegal Degree Update

your Soldiers to enroll in the Army Para- grams. Soldiers interested in the prolegal Degree Program than now! This gram can review their educational backprogram offers Army Paralegals an ex- ground and career goals with SFC cellent opportunity to earn an ABA- Dowdell. She will then guide them to the approved paralegal degree funded by the school that will be the best fit for them. Army. To qualify for the program, Sol- Additionally, SFC Dowdell will brief each diers need 10 semester hours of legal- 27D AIT student, before graduation, based classes offered in a traditional about the benefits and specifics of the classroom setting. Soldiers who com- program. She will show AIT students the pleted AIT in March 2001, or later, can new Army Paralegal Degree Program receive between 8 to 10 hours of credit. video and answer any questions, in per-Soldiers who graduated AIT prior to 2001 son. SFC Dowdell may be contacted at may also receive additional credit 434-971-3230 through military legal classes, BNCOC, Vicki.Dowdell@hqda.army.mil. or ANCOC.

In the first year of the program, many Soldiers expressed interest in the program, but did not understand the details of applying to the schools, transferring college credit, and applying for and receiving Tuition Assistance. TJAGLCS Training Developments Directorate (TDD) has recently developed two new ways to explain the program to Soldiers.

First, TDD has appointed SFC Vicki Dowdell to serve as the Army Paralegal Degree Program Career Advisor. In this capacity, SFC Dowdell is the single point of contact for all inquiries related to the program. She is armed with up to date information on each partnering school, including class schedules, degree re-

There is no better time to encourage quirements, and tuition payment proor by email



SFC Vicki Dowdell, Paralegal Degree Advisor

Second, TDD has also produced and released the Army Paralegal Degree Program video. The video gives a detailed overview of the program and includes a description of each of our partnering schools and their paralegal degree programs. It was shown for the first time on 5 June 2006, at the 35th SJA Conference, and will be distributed on DVD throughout the JAGC to all legal

offices in July 2006. Additionally, the video is posted on the Training Developments Directorate page on the JAGCNet. Please show this video to your Soldiers at the earliest opportunity, so that they can start reaping the benefits of the program early in their tours.

As you know, Soldiers enrolled in this program will receive Tuition Assistance. Please be advised that the Army recently implemented a new policy under which Soldiers pay for tuition, upfront, and are reimbursed by the Army once they complete their courses. Since many young Soldiers cannot afford to pay upfront costs, our partnering schools have agreed to offer a tuition deferment program for Soldiers in the Paralegal Degree Program. This will allow Soldiers to take courses without having to pay any upfront tuition fees. After receiving a final passing grade in a course, Soldiers will receive their Tuition Assistance funding and can then pay their respective school for the course.

If your Soldiers are interested in enrolling in the program, please encourage them to get started by calling or emailing SFC Dowdell.

By MAJ Maanvi Patoir, Deputy Director, Training Developments Directorate, TJAGLCS

Members of our JAG Corps Family



As our JAGC family grows, we'd like to share photos loved around the world. This is an excellent opportunity to show off your newborn, a niece or nephew, ters, or anyone who is part of the immediate or extended JAG-family. Don't be shy. Send vour photos. and we'll do our best to include them in future editions of the Quill and Sword.